



Town of Groton, Connecticut

Meeting Minutes

Town Council

45 Fort Hill Road
Groton, CT 06340-4394
Town Clerk (860)441-6640
Town Manager
(860)441-6630

Mayor Harry A. Watson, Councilors Dean Antipas, Kathryn M. Brown-Tracy, Bruce S. Flax, Catherine Kolnaski, Deborah B. Monteiro, Frank O'Beirne, Jr., Rita M. Schmidt, and Paulann H. Sheets

Tuesday, June 23, 2009

7:30 PM

Town Hall Annex - Community Room 1

SPECIAL MEETING

I. ROLL CALL

The meeting was called to order at 9:12 p.m. by Mayor Harry Watson.

Members Present: Mayor Watson, Councilor Antipas, Councilor Brown-Tracy, Councilor Flax, Councilor Kolnaski, Councilor Monteiro, Councilor O'Beirne, Jr., Councilor Schmidt and Councilor Sheets

Also present were Town Manager Mark Oefinger and Executive Assistant Nicki Bresnayan.

II. NEW BUSINESS

2009-0163

Introduction of an Ordinance on the Thames Street Rehabilitation Project

INTRODUCTION OF AN ORDINANCE APPROPRIATING \$10,725,000 FOR THAMES STREET REHABILITATION AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GROTON:

Section 1. That the sum of TEN MILLION SEVEN HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$10,725,000) is appropriated for design and reconstruction of Thames Street and intersections of adjoining streets from Bridge Street to Eastern Point Road and Smith Street. The project shall include clearing and excavation; reconstruction of existing pavement and base materials; installation or reconstruction of curbing, sidewalks, guardrails, handicap ramps and crosswalks; rebuilding, construction of, and repairs to retaining walls; reconstruction of storm drainage systems; relocation or reconstruction of other necessary utilities; traffic signal upgrades; installation of decorative street lighting and other streetscape improvements; and landscaping and related improvements. The Town Council may reduce or modify the scope of the project and the entire appropriation may be spent on the project as so reduced or modified. The appropriation may be spent for design and construction costs, equipment, materials, site improvements, easement acquisition, engineering fees, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project or its financing.

Section 2. That the Town issue bonds or notes, in an amount not to exceed TEN MILLION SEVEN HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$10,725,000) to finance the appropriation for the project. The bonds or notes shall be issued pursuant to Section 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be secured by the irrevocable pledge of the full faith and credit of the Town of Groton. The Town does hereby covenant and agree with the holders of the bonds or notes and all notes issued in anticipation of the receipt of the proceeds from the sale of such bonds or notes that in each year while any such bonds or notes are outstanding, it will levy and collect ad valorem taxes upon all taxable properties within the Town in an amount sufficient, with such other funds of the Town as shall be available for such purpose, to pay the interest and principal on the bonds or notes as the same become due and payable.

Section 3. That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project. The amount of the notes outstanding at any time shall not exceed TEN MILLION SEVEN HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$10,725,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be secured by

the irrevocable pledge of the full faith and credit of the Town, payable as provided in Section 2. The Town shall comply with the provisions of Section 7-378a of the General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

Section 4. That the Town Council shall determine the amount of bonds or notes authorized by Section 2 to be sold. The Town Manager and the Director of Finance shall determine the amount of any temporary notes authorized by Section 3 to be sold. The Town Manager and the Director of Finance of the Town shall sign any bonds or notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds or notes. The Town Manager and the Director of Finance are authorized to determine the dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to provide for the keeping of a record of the bonds or notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.

Section 5. That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 and, if applicable, pursuant to Section 54A(d) of the Internal Revenue Code of 1986, as amended, that project costs may be paid from temporary advances of available funds and that the Town reasonably expects to reimburse any such advances from the proceeds of borrowings, including qualified tax credit bonds, in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The Town Manager and the Director of Finance are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes authorized by this ordinance if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

Section 6. That the Town Manager and the Director of Finance are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes.

Section 7. That the Town Manager, the Director of Finance, and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds or notes to finance the aforesaid appropriation.

Section 8. This ordinance shall become effective only if it has been adopted by vote of not less than five (5) members of the Town Council and by the Representative Town Meeting, and only if the appropriation set forth in Section 1 and the issuance of bonds and notes to finance said appropriation have been approved by the voters at referendum in accordance with Sections 5.5.5.1 and 9.13 of the Town Charter, and notice of passage has been published in accordance with the provisions of the Town Charter.

Notify RTM

Introduced by the Mayor and Referred for Information only to the RTM

2009-0164

Resolution Setting a Public Hearing Date on an Ordinance on the Thames Street Rehabilitation Project

RESOLUTION SETTING PUBLIC HEARING ON AN ORDINANCE APPROPRIATING \$10,725,000 FOR THAMES STREET REHABILITATION AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

RESOLVED, that the Town Council will hold a public hearing on an Ordinance Appropriating \$10,725,000 for Thames Street Rehabilitation and Authorizing the Issue of Bonds and Notes in the Same Amount to Finance Said Appropriation, on Tuesday, July 7, 2009 at 7:30 p.m. in Town Hall Annex Community Room 1.

A motion was made by Councilor Kolnaski, seconded by Councilor Monteiro, that this matter be

Adopted.

The motion carried unanimously

2009-0160

Resolution Setting a Public Hearing to Consider Alterations on Sandy Hollow Road (Leuba)

RESOLUTION SETTING A PUBLIC HEARING TO CONSIDER ALTERATIONS TO SANDY HOLLOW ROAD, A DESIGNATED SCENIC ROAD, RESULTING FROM A LOGGING OPERATION

WHEREAS, on January 19, 1999, by resolution, the Town Council designated Sandy Hollow Road as a Scenic Road according to Town Ordinance #200, Town Code Sec. 13.5-121 to 13.5-124, and

WHEREAS, logging activity on land with frontage on Sandy Hollow Road has caused a disturbance to a portion of the scenic road, now therefore be it

RESOLVED, that the Town Council will hold a public hearing on said disturbance and related activity on Tuesday, July 21, 2009, at 7:30 p.m., at Town Hall Annex, Community Room 1.

A motion was made by Councilor Antipas, seconded by Councilor Kolnaski, that this matter be Adopted.

The motion carried unanimously

III. ADJOURNMENT

A motion to adjourn at 9:17 p.m. was made by Councilor Kolnaski, seconded by Councilor Schmidt and so voted unanimously.

Attest:

*Barbara Tarbox, Town Clerk
Clerk of the Council*

Nicki Bresnayan, Executive Assistant